

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY (NEWARK)**

Stephen Giercyk, Ajay Das and James and Emma Imes, on behalf of themselves and all other similarly situated,

Plaintiffs,

V.

National Union fire Insurance Company of Pittsburgh, PA, d/b/a National Union Fire Insurance Company, a division of American International Group, Inc. (AIG), Healthextras, Inc., Healthextras Benefits Administrators, Inc., Catamaran Health Solutions, LLC f/k/a Catalyst Health Solutions, Inc., Healthextras Insurance Agency, Inc., American International Group, Inc., d/b/a Group Insurance Trust, for the account of Healthextras, Alliant Insurance Services, Inc., f/k/a Driver Alliant Insurance Services, Inc., Alliant Services Houston, Inc., f/k/a JLT Services Corporation, and Alliant Insurance, Services Houston, LLC, f/k/a Capital Risk, LLC and f/k/a Jardine Lloyd Thompson, LLC and Virginia Surety Company, Inc.

Defendants.

Civil Action No: 2:13-cv-6272-FSH-MAH

CLASS ACTION

[proposed] ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR ATTORNEYS' FEES, COSTS AND EXPENSES, AND CASE CONTRIBUTION FEES

WHEREAS, the Court, having considered the Settlement Agreement and General Release (the "Settlement Agreement") at D.E. # 262-2, the October 13, 2016 Order Granting Preliminary Approval of the Class Settlement at D.E. # 268, Plaintiffs' Unopposed Motion For Attorneys' Fees, Costs, and Service Awards and all documents filed contemporaneously therewith, and having held a Fairness Hearing on April 20, 2017 ^{met} and having considered all of the submissions and arguments with respect to the matter, and otherwise being fully informed, and good cause appearing therefore,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Class Counsel Golomb & Honik, P.C., Hemmings & Stevens, P.L.L.C and Aughtman Law Firm, LLC are hereby awarded attorneys' fees in the amount of \$5 million, to be paid in accordance with the Settlement Agreement.

2. In evaluating Class Counsels' request for attorneys' fees, the Court finds the percentage-of-the-fund method and its application, as set forth in Plaintiffs' Unopposed Motion, proper and reasonable. *In re Gen. Motors Corp. Pick-Up Truck Fuel Tank Prods. Liab. Litig.*, 55 F.3d 768, 821 (3d Cir. 1995).

3. The Court further finds that costs and expenses in the amount of ~~\$376,170.56~~, as set forth in detail in Plaintiffs' Motion, are reasonable and fair based upon the litigation.

4. The Case Contribution Fees requested "compensate named plaintiffs for the services they provided and the risks they incurred during the course of the class action litigation" (*Bredbenner v. Liberty Travel, Inc.*, No. 09-905, 2011 WL 1344745, at *22 (D.N.J. Apr. 8, 2011)) for the following Class Representatives:

a. HealthExtras Settlement Class Representatives

1. Stephen Giercyk,
2. Ajay Das,
3. Rita Campbell,
4. Mario Petruzzo,
5. Ralph Williams,
6. Manette DuBuisson,
7. Jayantilal Patel,
8. Virginia Riker,
9. Jeffrey and Kimberly Bush,
10. Arie Waiserman,
11. Robert and Maria Watson,
12. Larry and Linda Lake,
13. Christine Hine,
14. Dagmar Durcik, and
15. Thomas and Kim Broome.

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MPA


b. Stonebridge Settlement Class Representatives

1. Alice Lacks,
2. Kenneth Graham,
3. Sharen Smith,
4. Danny and Tracy Walker,
5. James and Emma Imes, and
6. Deborah and Paul Johnson.

Upon consideration of Class Counsel's request for Case Contribution Fees for in this litigation, and with the acknowledgement of their efforts to come forward and act as Class Representatives in this case, Class Representatives are hereby each awarded a Case Contribution Fee in the amount of \$4,000.00 for each HealthExtras Settlement Class Representative and \$2,000 for each Stonebridge Settlement Class Representative, with a total of \$74,000 to be paid in Case Contribution Fees in accordance with the Settlement Agreement.

5. Within the timeframe contemplated by the Settlement Agreement, the Escrow Agent shall distribute the attorneys' fees, costs and expenses, and Case Contribution Fees authorized and approved herein to Class Counsel, who will be responsible for distributing the Case Contribution Fees to the Class Representatives and for distributing the attorneys' fees and costs and expenses to all counsel for Plaintiffs.

IT IS SO ORDERED, this 27 day of April, 2017.


UNITED STATES DISTRICT COURT JUDGE
HONORABLE MADELINE COX ARLEO